

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2020

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No. 15536 of 2020
and
WM.P.No.19393 of 2020

D.Mathialagan

..Petitioner

vs.

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
 2. The Block Development Officer,
West Arni Panchayat Union,
Arni,
Thiruvannamalai District.
 3. N.Pandurangan
S/o Natarajan,
Secretary, Karippur Panchayat,
West Arni Panchayat Union,
Chepet Taluk,
Thiruvannamalai District - 606 902.
- ..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st and 2nd respondents to take appropriate action against the 3rd respondent for his negligence and dereliction of duty.

For Petitioner : Mr.G.Saravanan

O R D E R

The matter is taken up through web hearing.

2. This writ petition has been filed seeking to issue a Writ of Mandamus to direct the 1st and 2nd respondents to take appropriate action against the 3rd respondent for his negligence and dereliction of duty.

3. The petitioner claims himself to be the President of Karippur Panchayat, West Arni Panchayat Union, Chepet Taluk, Thiruvannamalai District. According to him, he is elected to the post in 2020. The 3rd respondent is employed as Secretary in the said Panchayat and he has been working for about twenty years.

4. According to the petitioner, the 3rd respondent is

habitual late comer and has been always negligent in his duties and has been also acting high handed. Likewise, number of allegations have been levelled against the 3rd respondent and because of his attitude, the petitioner claims that he being elected as President could not carry out the mandates of the people, he represents. Therefore, he seeks a direction from this Court to the 1st and 2nd respondents to take action against the 3rd respondent on the basis of his representation.

5. From the above narrative, it could be clearly understood that the petitioner, being an elected President, appears to be having some personal issues in the work spot with the 3rd respondent in day to day running of the administration of the Panchayat. In order to settle his personal grievance against the 3rd respondent, the petitioner has evoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

6. This Court cannot be a party to the personal fight between the petitioner and the 3rd respondent and in settlement of the private dispute, this Court's jurisdiction cannot be invoked in order to obtain a seemingly innocuous direction. In case, the petitioner has any legitimate grievance against the functioning of the 3rd respondent, it is up to him to take up the issue to the authorities concerned. This Court, certainly, cannot act on the basis of the self-serving averments of the petitioner and give any direction. This Court's jurisdiction is certainly not available to the petitioner to settle his personal score against the 3rd respondent. On the whole, this Writ Petition is abuse of process of Court and has to be rejected outright.

7. The Writ Petition is therefore, dismissed. No costs .
Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
2. The Block Development Officer,
West Arni Panchayat Union,
Arni,
Thiruvannamalai District.

W.P.No. 15536 of 2020

SS (CO)
RV (30/11/2020)